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Testimony of Phil Sherwood
Deputy Director of the Connecticut Citizen Action Group
Before the GAE Committee
Wednesday, Feb 18, 2009

Good morning Senator Slossberg, Representative Spallone and other members of the Government Administration and Elections Committee. My name is Phil Sherwood and I'm the Deputy Director of the Connecticut Citizen Action Group (CCAG). CCAG has approximately 25,000 member families and we appreciate the opportunity to speak in support of **HB6435 AAC Election Day Registration**, **HB5012 AA Implementing Early Voting in Conn**, **SB913 AAC United States Senate Vacancies**.

We support Election Day Registration (EDR) and believe **HB6435** would account for increased participation in our election process, strengthening our democracy. EDR legislation similar to this exists in nine other states. It's time for Connecticut to remove the arbitrary voter registration deadlines, and allow a greater percentage of citizens to participate in the election process. Voter turnouts for elections in states that allow Election Day Registration see higher turnouts on average of 10-12%. The success of the last election in relation to EDR speaks for itself. Over one million voters participated in the democratic process on or before Nov. 4th, 2008.

CCAG supports the efforts behind **HB5012, AA Implementing Early Voting**. Recent 2008 general election results indicate that almost 40 million people, 30% of the voter turnout, voted prior to Election Day. **28** states allow no-excuse absentee voting by mail and **32** states allow no-excuse pre-Election Day in-person voting - either early voting on a voting machine or in-person absentee voting.

CCAG also supports SB913. Connecticut law currently provides that the Governor choose a member of the U.S. Senate when someone leaves that office, and the Governor's selection stays in place until the next regular election - for up to two full years. CCAG supports legislation that calls for the voters to be able to choose their U.S. Senator for a vacancy for U.S. Senate, allowing for the democratic process to play out, as we do for other vacancies such as the U.S. House of Representatives.

As we've seen with the scandal surrounding former Governor Blagojevich, there is no good reason for preventing the people to choose their representatives and for further relying on an old and unfair system.

I would like to thank the Committee for their time and consideration and urge the support of all three bills. Attached is information gathered from other states that outline the different early voting and absentee ballot voting standards currently implemented.

Phil Sherwood
Deputy Director,
CCAG

The following information was compiled by:

THE EARLY VOTING INFORMATION CENTER at REED COLLEGE (www.earlyvoting.net)

Early and absentee voting laws vary widely, and are decided on a state level. The grid lays out the basic pattern of laws across states, with some quick facts at the end. The table below has a more detailed outline of each state's laws, as well as links to the relevant Codes and Statutes.

LAST UPDATED: 10/23/2008

Summary Table

	Early Voting (In Person)		Absentee Voting (By Mail)	
	Permitted	Not permitted	Permitted	No Excuse Permanent Absentee?
	No excuse	Excuse required	No excuse	Excuse required
AL	x		x	
AK x			x	
AZ x			x	
AR x			x	
CA x			x	x
CO x			x	x
CT	x		x	
DE	x		x	
DC	x		x	
FL x			x	
GA x			x	
HI x			x	
ID x			x	
IL x			x	
IN x			x	
IA x			x	
KS x			x	
KY	x		x	
LA x			x	
ME x			x	
MD		x	x	
MA	x		x	
MI	x		x	
MN	x		x	
MS	x		x	
MO	x		x	
MT x			x	x

NE	x			x	
NV	x			x	
NH		x			x
NJ	x			x	
NM	x			x	
NY		x			x
NC	x			x	
ND	x			x	
OH	x			x	
OK	x			x	
OR			x	x	
PA		x			x
RI			x		x
SC		x			x
SD	x			x	
TN	x				x
TX	x				x
UT	x			x	
VT	x			x	
VA		x			x
WA			x	x	x
WV	x				x
WI	x			x	
WY	x			x	

Fast Facts

32 states allow no-excuse pre-Election Day in-person voting - either early voting on a voting machine or in-person absentee voting.

14 states and the District of Columbia require an excuse for in-person absentee voting

1 state is all vote-by mail

4 states do not allow early or in-person absentee voting

28 states allow no-excuse absentee voting by mail

22 states and the District of Columbia require an excuse to vote absentee by mail

Detailed Breakdown

State	Pre-Election Day In-Person	Absentee Voting
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Voting

<u>Alabama</u>	Excuse required, in-person absentee.	Excuse required. <u>Code of Alabama Section 17-11-3</u>
	Yes. In-person absentee voting. No excuse required. 15 days prior to an election through election day at regional election office buildings and airports. <u>Alaska Statute 15.20.061</u>	
<u>Alaska</u>	Yes. Early voting. No excuse required. For general and primary elections, starts 33 days before election day and ends 5pm the Friday before election day. For the presidential preference election, starts 26 days before the election. <u>AZ Secretary of State and Arizona Revised Statutes 16-541(A)</u>	No excuse required. <u>Alaska Statute 15.20.010</u>
<u>Arizona</u>	Yes. Early voting. No excuse required. Early voting shall be available to any qualified elector who applies to the county clerk's designated early voting location, beginning fifteen (15) days before a preferential primary, general primary, general election, or general run-off election between the hours of 8:00 a.m. to 6:00 p.m. Monday through Friday and 1:00 p.m. to 4:00 p.m. Saturday and ending at 5:00 p.m. on the Monday before the election. Ark. Code Ann. 7-5-418 and Arkansas Secretary of State website	No excuse required. Arizona Statutes refer only to "early ballots", which can be voted in-person or by mail. <u>Arizona Revised Statutes 16-541(A)</u>
<u>Arkansas</u>	Yes. Early absentee voting. No excuse required. This is an alternative method of casting an absentee ballot; only registered absentee voters may vote early. <u>Calif. Election Code 3018</u>	No excuse required. To be qualified to vote an absentee ballot, you must meet one of the following criteria: You will be unavoidably absent from your polling site on election day (the law does not require you to give a reason), or you will be unable to attend the polls on election day because of illness or physical disability. Arkansas Secretary of State website
<u>California</u>	Yes. Early voting. No excuse required. Begins 15 days prior to a general election; begins 10 days prior to a primary or special election. Colo. Rev. Stat. 1-8-202	No excuse required. Voters may also place themselves on a "permanent absentee" list. <u>Calif. Election Code 3003</u>
<u>Colorado</u>	Excuse required, in-person absentee.	No excuse required. Voters may also place themselves on a "permanent absentee" list. Colo. Rev. Stats. 1-8-102 and 1-8-104.5
<u>Connecticut</u>		Excuse required. <u>Conn. Election Code</u>

<u>Delaware</u>	Excuse required, in-person absentee.	Excuse required. <u>Delaware Code 5502</u>
<u>District of Columbia</u>	Yes. In-person absentee voting. Excuse required. <u>DC Board of Elections and Ethics website</u>	Excuse required. <u>D.C. Code Ann. 1-1001.09 (b)(2)</u>
<u>Florida</u>	Yes. Early voting. No excuse required. Begins 15 days prior to election. <u>Fla. Stats. Title 9, ch. 101.657</u> and <u>Elections Division page</u>	No excuse required. Ballots are mailed no fewer than 45 days before a general election (35 for primaries). <u>Fla. Stats. Title 9, ch. 101.62</u>
<u>Georgia</u>	Yes. In-person absentee voting. No excuse required. An elector who casts a ballot in-person during the week preceding an election "shall not be required to provide a reason". <u>Ga. Code 21-2-380(b)</u>	No excuse required. An elector who applies for absentee ballot by mail "shall not be required to provide a reason". <u>Ga. Code 21-2-380(b)</u>
<u>Hawaii</u>	Yes. In-person absentee voting. No excuse required. Absentee polling places are open no later than 10 working days before Election Day, and all Saturdays falling within that period, or as soon thereafter as ballots are available. <u>Hi. Code 15-7</u>	No excuse required. <u>Hi. Code 15-4(a)</u>
<u>Idaho</u>	Yes. In-person absentee voting. No excuse required. <u>Idaho Statutes 34-1006</u>	No excuse required. <u>Idaho Statutes 34-1001</u>
<u>Illinois</u>	Yes. Early voting. No excuse required. The period for early voting by personal appearance begins the 22nd day preceding a general primary, consolidated primary, consolidated, or general election and extends through the 5th day before election day. A permanent polling place for early voting must remain open during the hours of 8:30 a.m. to 4:30 p.m., or 9:00 a.m. to 5:00 p.m., on weekdays and 9:00 a.m. to 12:00 p.m. on Saturdays, Sundays, and holidays. <u>10 Ill. Comp. Stat. Ann. 5/19A-15</u>	Excuse required. <u>10 Ill. Comp. Stat. Ann. 5/19-1</u>
<u>Indiana</u>	Yes. In-person absentee voting. No excuse required. <u>IC 3-11-10-26</u>	Excuse required. <u>IC 3-11-10-24</u>
<u>Iowa</u>	Yes. In-person absentee voting. No excuse required. The voter may vote at the county commissioner's office no more than 40 days preceding a	No excuse required. <u>Iowa Code, Title 2, Chapter 53.1</u>

	primary or general election. <u>Iowa Code, Title 2, Chapter 53.10</u>	
<u>Kansas</u>	Yes. Advance voting. No excuse required. <u>Kan. Stat. 25-1122a</u>	No excuse required. <u>Kan. Stat. 25-1119</u>
<u>Kentucky</u>	Yes. In-person absentee voting. Excuse required. <u>Ky. Rev. Stat. 117.085(c)</u>	Excuse required. <u>Ky. Rev. Stat. 117.085(a)</u> and <u>Ky. Rev. Stat 117.075</u>
<u>Louisiana</u>	Yes. Early voting (but must apply, similar to in-person absentee voting). No excuse required. The period of early voting shall be from fourteen (14) to seven (7) days prior to any scheduled election. <u>La. Rev. Stat. 18-1309</u>	Excuse required. <u>La. Rev. Stat. 18-303(B)</u>
<u>Maine</u>	Yes. In-person absentee voting. No excuse required. Voters may go in-person to the clerk's office as soon as absentee ballots are available (30 - 45 days before election). <u>Maine Rev. Stat. Title 21A 9-753-B(8)</u>	No excuse required. <u>Maine Rev. Stat. Title 21A, Chapter 9-751</u>
<u>Maryland</u>	No.	Excuse required. <u>Md. Code, Title 9, Section 304</u>
<u>Massachusetts</u>	Excuse required.	Excuse required. <u>M.G.L. Chapter 54, Section 86</u>
<u>Michigan</u>	Excuse required. <u>Michigan Compiled Laws Act 116 of 1954, Section 168-759</u>	Excuse required. <u>Michigan Compiled Laws Act 116 of 1954, Section 168-759</u>
<u>Minnesota</u>	Yes. Excuse required. In-person absentee voting. <u>Minnesota Statutes 203B.081</u>	Excuse required. Voters who are permanently unable to vote in-person on Election Day (e.g., due to illness or nursing home residence) may sign up for permanent absentee status. <u>Minnesota Statutes 203B.02</u>
<u>Mississippi</u>	Excuse required, in-person absentee.	Excuse required. <u>Miss. Code of 1972, Section 23-15-713</u>
<u>Missouri</u>	Excuse required, in-person absentee.	Excuse required. <u>Missouri Rev. Stat. Section 155.277</u>
<u>Montana</u>	Yes. In-person absentee voting. No excuse required. Begins 30 days prior to general election. <u>Mont. Code Annotated 13-13-222</u>	No excuse required. Permanent absentee status is also available. <u>Mont. Code Annotated 13-13-201</u>
<u>Nebraska</u>	Yes. In-person early voting. No excuse required. Ballots can be voted up to 35 days before the election. <u>Neb. Stat. 32-942</u>	No excuse required. <u>Neb. Stat. 32-938</u>

<u>Nevada</u>	Yes. Early Voting. No excuse required. The period for in-person early voting begins the third Saturday before an election, extending through the Friday before Election Day, excluding Sundays and holidays. <u>Nev. Rev. Stat. 293.356</u>	No excuse required. <u>Nev. Rev. Stat. 293.313</u>
<u>New Hampshire</u>	Excuse required, in-person absentee.	Excuse required. <u>Source: NH Rev. Stat. 657:1</u>
<u>New Jersey</u>	No excuse required, in-person absentee.	No excuse required. <u>Source: New Jersey Statutes 19:57-2-4</u>
<u>New Mexico</u>	Yes. Early voting. No excuse required. Commencing on the third Saturday prior to an election, an early voter may vote in person, on an electronic voting machine at an alternate location established by the county clerk. <u>N.M. Stat. 1-6-5.7</u>	No excuse required. <u>N.M. Stat. 1-6-3</u>
<u>New York</u>	Excuse required, in-person absentee.	Excuse required. <u>N.Y. Election Law, 8.400 [PDF]</u>
<u>North Carolina</u>	Yes. One-stop absentee voting. No excuse required. Beginning on the third Thursday before an election and ending on the last Saturday before that election, voters can vote an absentee ballot in person. The law provides only for in-person absentee voting at the office of the county board of elections, but allows counties to establish alternative sites (as approved by the State Board of Elections). <u>N.C. Gen. Stat. 163-227.2</u>	No excuse required. <u>N.C. Gen. Stat. 163-226a</u>
<u>North Dakota</u>	Yes. Early voting. No excuse required. Counties provide early voting facilities up to fifteen days immediately before the day of the election, at the discretion of county auditors. <u>N.D. Stat. 16.1-07-15</u>	No excuse required. <u>N.D. Stat. 16.1-07-01</u>
<u>Ohio</u>	Yes. In-person absentee voting. No excuse required. Begins 35 days before primary and general elections. <u>OH Secretary of State</u>	No excuse required. <u>OH Secretary of State</u>
<u>Oklahoma</u>	Yes. In-person absentee voting. No excuse required. A registered voter	No excuse required. <u>Ok. Stat. 26-14-115</u>

may apply for an in-person absentee ballot at a location designated by the secretary of the county election board from 8 a.m. to 6 p.m. on Friday and Monday immediately preceding any election and from 8 a.m. to 1 p.m. on Saturday immediately preceding a state or federal election. Ok. Stat. 26-14-115

<u>Oregon</u>	All mail-in voting. <u>Ore. Stat. 254.465</u>	No excuse required. Ballots are mailed about three weeks before each election. <u>Ore. Stat. 253.015</u>
<u>Pennsylvania</u>	Excuse required, in-person absentee.	Excuse required (affirmation of absence). <u>Pa. Code 171.11</u>
<u>Rhode Island</u>	No.	Excuse required (21-day advance application). <u>R.I. Stat. 17-20-2</u>
<u>South Carolina</u>	Excuse required, in-person absentee.	Excuse required. (Can apply and vote on same day, if the ballots are prepared.) <u>S.C. Code 7-15-320</u>
<u>South Dakota</u>	Yes, in-person absentee voting. At anytime prior to an election, a voter may apply in person to the person in charge of the election for an absentee ballot during regular office hours up to 3:00 p.m. of the day of the election. <u>S.D. Code 12-19-2.1</u>	No excuse required. (Application deadline 3pm on election day.) <u>S.D. Code 12-19-1</u>
<u>Tennessee</u>	Yes. Early voting. No excuse required. A voter who desires to vote early shall go to the county election commission office within the posted hours not more than twenty (20) days nor less than five (5) days before the day of the election. <u>Tenn. Code 2-6-102</u>	Excuse required. <u>Tenn. Code 2-6-201</u>
<u>Texas</u>	Yes. Early voting. No excuse required. Early voting in person starts 17 days before each election unless the first day falls on the weekend, then early voting begins on the following Monday and ends 4 days before each election. <u>Tex. Elec. Code 81.001</u>	Excuse required. <u>Tex. Elec. Code 82.001</u>
<u>Utah</u>	Yes. Begins fourteen days in advance of election. No excuse required. <u>Utah Elec. Code 20A-3-601</u>	No excuse required. <u>Utah Elec. Code 20A-3-301</u>

<u>Vermont</u>	Yes. Up to 30 days in advance of a general election, in the Town Clerk's office. No excuse required. <u>Vermont Stat. 17Â²2531</u>	No excuse required. <u>Vermont Stat. 17Â²2531</u>
<u>Virginia</u>	Yes. In-person absentee voting. Excuse required. Absentee voting in person begins approximately 45 days before a November General Election and approximately 30 days before other elections and ends at 5:00 p.m. on the Saturday before the election. <u>Va. Code 24.2-707</u>	Excuse required. <u>Va. Code 24.2-700</u>
<u>Washington</u>	No.	No excuse required. <u>R.C.W. 29A.40.010</u>
<u>West Virginia</u>	Yes. No excuse required. Available from the twentieth day before the election to the third. <u>W.V. Code 3-3-3</u>	Excuse required. <u>W.V. Code 3-3-1</u>
<u>Wisconsin</u>	Yes. In-person absentee voting. No excuse required. Ballots available three weeks ahead of each election. <u>Wi. Code 6.29</u>	No excuse required. <u>6.20 and 6.85</u>
<u>Wyoming</u>	Yes. In-person absentee voting. No excuse required. 40 days before election.	No excuse required. <u>Wy. Stat. 22-9-102 [DOC]</u>

